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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/687,434 | 10/16/2003 | Richard Welford | 14285 | 8023 |

7590
Sally J. Brown
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3350 Airport Road
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12/15/2005

EXAMINER

MCCREARY, LEONARD

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
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3616

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/687,434

Applicant(s)

WELFORD ET AL.

Examiner

Leonard J. McCreary, Jr.

Art Unit

3616

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 16 Oct 2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Detailed Action

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-9, 13-16, 18-23, and 33 are rejected under 35 U.S.C. 102(e) as being anticipated by Challa. Challa discloses an Air-Bag Arrangement comprising a first inflatable zone 8 and an integral uninflatable zone 11 covering area that the inflatable zone does not (claim 1.) The uninflatable zone 11 is perforated (claim 2.) As broadly recited, the uninflatable zone extends below the first inflatable zone and is also adjacent to the first inflatable zone, as shown in the example of Figure A below (claims 3, 4.)

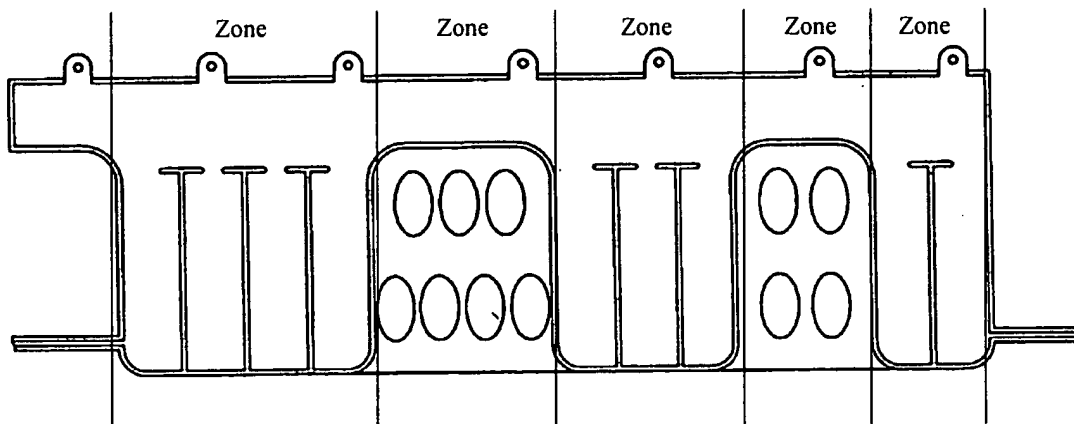


Figure A. Prior art of Challa.

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Challa discloses a second and third zone with perforated and non-perforated uninflatable zones between (Figures 1, 3, 4, and 5) (claims 5, 6, 8, 9, 18, 19, and 20.) Inflatable zones vary in area (Figure 1) (claims 7, 21.) A pre-tensioning device 45, 46 consisting of tethers is connected to uninflatable regions of the curtain (Figure 5) (claims 13, 14, 22, 23.) Challa specifies the uninflatable zone can be constructed of a single layer or web of fabric [0025] (claims 15, 16, 33.) Challa includes an inflator [0033] (claim 34.)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-12 and 24-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Challa in view of Tesch. Challa teaches that the top edge of the curtain is mountable near the roof on the side of a vehicle [0026] (part of claims 10, 24) and the curtain may extend from the A-pillar to the C- or D-pillar [0032, 0038] (claims 11, 12, 27.) Challa specifies the uninflatable zone can be constructed of a single layer or web of fabric [0025] (claims 25, 26.) The first inflatable zone is located adjacent the top edge of the curtain extending from the B-pillar towards the A-pillar (Figure 5) (claim 28) and the second inflatable zone extends from the C-pillar towards the B-pillar (claim 29.) Challa discloses a second and third zone with perforated and non-perforated

uninflatable zones between (claims 30, 31, 32.) Challa does not explicitly state the bottom edge of the curtain should extend below the window opening. Tesch teaches the bottom edge of the curtain should extend below the window 22 (column 5, paragraph 1) (claims 10, 24.) It would be obvious to one skilled in the art at the time of invention to modify Challa to extend below the bottom of the window as taught by Tesch in order to protect the passenger from broken glass and to retain the passenger inside the vehicle.


Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Challa in view of Amamori. Challa discloses an Air-Bag Arrangement comprising a first inflatable zone 8 and an integral uninflatable zone 11 covering area that the inflatable zone does not. Challa does not explicitly state that the uninflatable zones may be constructed of the same material as the inflatable zone. Amamori teaches that the uninflatable zones may be constructed of the same material as the inflatable zones [0025] (claim 17.) It would have been obvious to one skilled in the art at the time of invention to modify Amamori to construct the uninflatable zones from the same material as the inflatable zones in order to simplify the manufacturing process.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonard J. McCreary, Jr. whose telephone number is not yet issued. The examiner can normally be reached on 0700-1700 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-308-2089. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Leonard J. McCreary, Jr.
Examiner
Art Unit 3616

 12/12/05
PAUL N. DICKSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600